

OFFICIAL COPY

Fresno, California

June 27, 2000

The City Council met in joint session with the Redevelopment Agency at the hour of 8:47 a.m. in the Council Chambers, City Hall, on the day above written.

|          |                 |                          |
|----------|-----------------|--------------------------|
| Present: | Garry Bredefeld | Acting Council President |
|          | Henry Perea     | Councilmember            |
|          | Sal Quintero    | Councilmember            |
|          | Ken Steitz      | Councilmember            |
|          | Dan Ronquillo   | Councilmember            |
|          | Chris Mathys    | Councilmember            |
|          | Tom Boyajian    | Council President        |

Jeff Reid, City Manager  
Daniel Fitzpatrick, Executive Director  
Hilda Cantu Montoy, City Attorney  
Jess Avila, Assistant City Attorney  
Rebecca Klisch, City Clerk  
Cindy Hamby, Deputy City Clerk

**(8:30 A.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

**APPROVE AGENCY MINUTES OF JUNE 20, 2000**

On motion of Councilmember Quintero, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the minutes of June 20, 2000, approved as submitted.

**(“A”) AWARD A CONTRACT FOR RECONSTRUCTION OF BROADWAY/“H” STREET, INYO STREET AND TULARE STREET (COUNCIL AND AGENCY ACTION)**

**1. RESOLUTION NO. 2000-193 - MAKING CERTAIN FINDINGS PURSUANT TO THE SECTION 33421.1 AND 33445 OF THE COMMUNITY DEVELOPMENT LAW, AND AUTHORIZING THE INSTALLATION OF PUBLIC IMPROVEMENTS FOR RECONSTRUCTION OF STREETS AND RELATED SITE IMPROVEMENT WORK FOR THE DEVELOPMENT OF A PROPOSED MULTIPURPOSE STADIUM PROJECT IN THE CENTRAL BUSINESS DISTRICT PROJECT URBAN RENEWAL PLAN AREA (COUNCIL ACTION)**

Briefly reviewed by Executive Director Fitzpatrick who advised of the very tight time schedule and budget involved in which to get a stadium constructed and opened by March - April 2002. Mr. Fitzpatrick stated there were three contracts being presented for consideration, one being the site work to complete the stadium project, second for architectural services to complete the design and bid package, and the third was authorization to enter into discussion and complete contracts with a construction management firm to work with the City, Agency and architects on completion of the tasks. Mr. Fitzpatrick stated they are meeting on a regular basis with the Diamond Group to put together the various legal documents necessary to complete the deal.

Redevelopment Administrator Murphey reviewed the contract for the street reconstruction, filling of the ponding basin and traffic signalization for the stadium, stated seven proposals were received, and for the record, requested Pyramid Paving be declared non responsive and the contract awarded to M./J. Menefee Construction and elaborated.

Speaking to the issue were Barbara Hunt, 944 “F” Street, and Stebbins Dean, Chamber of Commerce, who stated the Chamber is in favor of awarding the contract for the reconstruction.

Upon call, no one else wished to be heard and Chair Ronquillo closed the public testimony portion of the issue.

Chair Ronquillo thanked the Director and staff, stated the area was originally a blighted area and that the project was creating prosperity and made a motion to approve staff recommendation which was voted upon after extensive discussion.

Councilmember Mathys questioned the amount of money the taxpayers had spent on stadium negotiations and land acquisition with City Manager Reid responding. Councilmember Mathys continued and questioned the revenue streams for payback, and expressed concern about receiving little information.

On motion of Chair Ronquillo, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the recommendation of the Public Works Appeal Panel to declare Pyramid Paving’s bid non-responsive because they did not include pricing for two bid items added to Add-Alternative 3 by addendum accepted; the contract to reconstruct Broadway/”H” Street, Inyo Street and Tulare Street awarded to M.J. Menefee Construction in the amount of \$674,950.64; and the above entitled Resolution No. 2000-193 hereby adopted, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Boyajian, Bredefeld, Perea, Quintero, Steitz, Ronquillo |
| Noes   | : | Mathys  |
| Absent | : | None  |

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**(“B”)** CONSIDER MATTERS RELATED TO THE AWARD OF A CONTRACT FOR THE ARCHITECTURAL DESIGN PACKAGE OF THE PROPOSED PUBLICLY-OWNED MULTIPURPOSE STADIUM

**1. AWARD A CONTRACT FOR THE ARCHITECTURAL DESIGN PACKAGE (ARCHITECTURAL DESIGN WORK AND THE DEVELOPMENT OF BID-READY CONSTRUCTION SPECIFICATIONS) AT AGENCY EXPENSE, TO BE REIMBURSED BY BOND PROCEEDS, IN CONNECTION WITH THE PROPOSED, PUBLICALLY-OWNED MULTIPURPOSE STADIUM DEVELOPMENT PROJECT IN THE CENTRAL BUSINESS DISTRICT PROJECT URBAN RENEWAL PLAN AREA (COUNCIL AND AGENCY ACTION)**

**2. AWARD A CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES AT THE CITY EXPENSE, TO BE REIMBURSED BY BOND PROCEEDS IN CONNECTION WITH THE PROPOSED DOWNTOWN MULTIPURPOSE STADIUM IN THE CENTRAL BUSINESS DISTRICT PROJECT URBAN RENEWAL PLAN AREA (COUNCIL AND AGENCY ACTION)**

Executive Director Fitzpatrick stated he distributed a revised timeline received from HOK in terms of meeting the construction schedule and the project was on a very tight timeframe; stated the Agency needed direction for a contract to HOK to provide architectural services, and urged approval of the contracts for both the architectural services and construction management.

Economic Development Coordinator Webster reviewed the contract with H & M, Inc. for construction management services, reviewed the company's history, and stated the City was seeking authority to execute a construction management agreement at this time.

Barbara Hunt, 944 "F" Street spoke to the issue. Councilmember Perea left the meeting at 9:14 a.m.

Upon call, no one else wished to be heard and Chair Ronquillo closed the public testimony portion of the issue.

Councilmember Bredefeld questioned whether there would be a guaranteed maximum contract, with City Attorney Montoy responding the issue has come up before and her staff will continue to do further research because both the RDA Director and City Manager have expressed an interest in the benefit to be achieved with such a provision. City Manager Reid stated the structure being proposed is a little unique in the sense that to honor the public bidding process, all of the construction work will be publicly bid, but the construction management would not have much control over the bidding process, and elaborated. Councilmember Bredefeld also questioned whether there were other firms that the Agency might be interested in with Mr. Fitzpatrick responding, stating today's action was for authorization for staff to negotiate a contract with H & M or other firm, and re-emphasized the words "other firm" and reiterated the importance of the City Attorney, the City Manager and the RDA Director to work quickly to get a resolution on the legal issue because it does make a difference on the company being selected on the construction management. Councilmember Perea returned to the meeting at 9:18 a.m. Councilmember Bredefeld expressed his appreciation, and thanked staff for their work and made a motion to approve staff recommendation, which was voted upon after a lengthy discussion.

Chair Ronquillo encouraged the City Manager and the RDA Director to look into several construction management firms with Councilmember Bredefeld reiterating his motion stating the potential contract would be awarded to H & M or **some other** construction manager.

Mr. Webster stated the City had gone through a process where they contacted other construction management firms and received prices.

Councilmember Mathys questioned the amount of money being authorized today with Mr. Reid stating the fees were still being negotiated, advised of a proposed fee of 1% for the pre-construction services, 3% for the construction management activities and 1% for the guaranteed maximum price contract, and elaborated on the process of selecting the firm. Councilmember Mathys expressed concern regarding the spending of taxpayers' money without an agreement, direction or funding source. Mr. Reid explained the importance of moving forward with the legal opinion as the two contracts needed to be executed simultaneously, and elaborated.

Councilmember Steitz questioned the process aspect, limiting liability and the timeline of the project with Ms. Montoy stating her office would provide a complete packet with the requested information, and discussed "walk away language" in the agreement. She stated her office was still working on who would to sign the agreements, whether it be the RDA Director or the City Manager, and briefly reviewed the issue regarding a prior relationship between HOK and the Diamond Group. **(2-0)**

Deputy City Attorney Hale responded to questions relating to bond insurance requirements.

Mr. Reid reiterated the discussion regarding the construction management services, stated H & M was not the only company on the table and discussed various structures of financing and key points in the negotiations and issues of designing the stadium within the budget and the security interest in the team.

On motion of Councilmember Bredefeld, seconded by Chair Ronquillo, duly carried, RESOLVED, the City Manager and Executive Director authorized to enter into and execute a contract to HOK or another qualified firm for the architectural design package (architectural design work and the development of bid-ready construction specifications) at Agency expense, reimbursed by bond proceeds, in connection with the proposed publicly-owned multipurpose stadium development project in the Central Business District Project Urban Renewal Plan Area and approved by the City Attorney; City staff authorized to negotiate a construction management services contract with H & M Company, Inc. or another qualified consulting firm for the proposed downtown baseball stadium in the form of the City's standard consultant services agreement, subject to the approval of the City Attorney; and the City Manager and Executive Director of the Agency hereby authorized to enter into and execute such contract negotiated and approved by the City Attorney, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Boyajian, Bredefeld, Perea, Quintero, Steitz, Ronquillo |
| Noes   | : | Mathys  |
| Absent | : | None  |

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**(“D”) RESOLUTION NO. 2000-193A/1569 - APPROVING A COOPERATION AND REGULATORY AGREEMENT REGARDING ADMINISTRATION OF AFFORDABLE HOUSING SET ASIDE FUNDS BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE HOUSING AUTHORITIES OF THE CITY AND COUNTY OF FRESNO, AND MAKING CERTAIN FINDINGS PURSUANT TO THE HEALTH AND SAFETY CODE (COUNCIL AND AGENCY ACTION)**

Redevelopment Administrator Murphey reviewed the staff report, stated for the record the item is a joint Agency and Council action, the joint action limited to two sections of the resolutions including the section, “Enabling the Agency to use the streamline process provided by State law for property disposition if authorized by the legislative body” and also, “The law authorizes the Agency to pay for the cost of publicly owned improvements within and outside the project area is approved by the Council legislative body.”

A motion by Chair Ronquillo to approve staff recommendation was acted upon after brief discussion.

Speaking to the issue was Barbara Hunt, 944 “F” Street.

Councilmember Bredefeld requested the City Attorney's Office review and report on the bylaws of the public finance agency. Councilmember Perea requested information of what it would take to restructure the public finance agency, and stated he would like to add more agency members to the authority.

Councilmember Steitz questioned the amount of money involved, stated for an infill housing project, more money is being spent on a house in southwest Fresno than would cost to build a brand new house in a new tract, with Executive Director Fitzpatrick responding. Councilmember Steitz requested copies of the exhibits of the Agreement with Mr. Fitzpatrick stating he will provide a notebook of the final program and attachments.

On motion of Chair Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution Nos. 2000-193A and 1569, hereby adopted, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo |
| Noes   | : | None  |
| Absent | : | None  |

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The joint bodies adjourned at 10:01 a.m. and the City Council convened at 10:05 a.m. Councilmember Steitz left the meeting at 10:21 a.m. and returned at 10:30 a.m.

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Pastor Tom Sims of the Baptist Temple gave the invocation, and Councilmember Mathys led the Pledge of Allegiance to the Flag.

RESOLUTION OF COMMENDATION TO TY VOLKOFF - COUNCILMEMBER MATHYS - **LAID OVER TO 7/18/00**

RESOLUTION OF COMMENDATION TO LIDDELL ELEMENTARY SCHOOL - ALL COUNCILMEMBERS -

**(ADD-ON)** RESOLUTION OF COMMENDATION TO AMBERWAY TIGERS - COUNCILMEMBER PEREA

PROCLAMATION OF “THE COMMISSION ON THE STATUS OF WOMEN DAY” - COUNCIL PRESIDENT BOYAJIAN **(3-0)**

The above proclamations were read and presented. Councilmember Bredefeld left the meeting at 10:27 a.m. and returned to the meeting at 10:37 a.m.

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**APPROVE MINUTES:**

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the minutes of June 20, 2000, approved as submitted.

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**APPROVE AGENDA**

City Clerk Klisch stated Item 1A-7 was removed from the agenda by staff and Item 5A should be listed on the agenda as a timed item at 3:20 p.m.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo |
| Noes   | : | None  |
| Absent | : | None  |

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## **ADOPT CONSENT CALENDAR**

**(1A-1)** APPROVE ACQUISITION OF EASEMENT ON NORTH MAPLE AVENUE ON FRESNO COUNTY ASSESSOR'S PARCEL 301-081-75 FROM VAROOJAN AND MONICA MIRZAYAN FOR THE APPRAISED VALUE OF \$10,693.00 AND THE PUBLIC WORKS DIRECTOR HEREBY AUTHORIZED TO SIGN ALL DOCUMENTS PERTAINING TO THIS ACQUISITION ON BEHALF OF THE CITY

**(1A-3)** APPROVAL OF A FIFTY-FIVE (55) YEAR LEASE AGREEMENT WITH CHICANO YOUTH CENTER FOR A PORTION OF THE DICKEY PLAYGROUND LOCATED AT DIVISADERO AND BLACKSTONE AVENUES

**(1A-4)** APPROVE AMENDMENT TO LEASE AGREEMENT WITH FRESNO ART MUSEUM THAT EXTENDS THE TERM FOR FORTY-SIX (46) YEARS AND INCLUDES A MAINTENANCE SCHEDULE FOR EXTERIOR MAINTENANCE BY THE CITY

**(1A-6)** AWARD A CONTRACT TO NOVA ELECTRIC IN THE AMOUNT OF \$611,000 TO REPLACE THE EXISTING AIRFIELD GUIDANCE SIGN SYSTEM AND DISPLACE RUNWAY 29R THRESHOLD FEDERAL AVIATION ADMINISTRATION (AIP PROJECT NOS. 3-06-0087-28 & 29) AT THE FRESNO YOSEMITE INTERNATIONAL AIRPORT

**(1A-7)** REJECT LOW BID AND AWARD A CONTRACT FOR TWO (2) NEW REAR LOADING REFUSE TRUCKS

Removed from agenda.

**(1A-8)** AWARD A CONTRACT TO LANTIS CONSTRUCTION IN THE AMOUNT OF \$60,945 FOR RESTROOM RENOVATION AT RIVERSIDE GOLF COURSE

**(1A-9)** AWARD A CONTRACT TO SCHEIDT, HAYDON & HALL, INC. FOR THE BASE BID, AND ADD-ALTERNATE I IN THE AMOUNT OF \$45,615.00 FOR INSTALLATION OF A 14" WATER MAIN IN 26" STEEL CASING AT E. OLIVE AVENUE AND N. CLOVIS AVENUE

**(1A-10)** APPROVE THE REVISION OF THE EXHIBIT TO RESOLUTION NO. 2000-127 (AIRPORT RATE MAKING METHODOLOGY FOR COMMERCIAL AIR SERVICE [THE RATES AND CHARGES METHODOLOGY]) OF THE COUNCIL OF THE CITY OF FRESNO AND AUTHORIZATION FOR TRANSPORTATION DIRECTOR TO ENTER ALL DOCUMENTS AND INSTRUMENTS IMPLEMENTING THE REVISED RATES AND CHARGES METHODOLOGY, INCLUDING A PROPOSE AMENDMENT NO. 1 TO EXISTING AGREEMENTS WITH ALL AIRLINES CURRENTLY OPERATING AT FRESNO YOSEMITE INTERNATIONAL AIRPORT

**(1A-11)** APPROVING AND AUTHORIZING THE FIRE CHIEF TO EXECUTE AN AGREEMENT WITH THE COUNTY OF ORANGE, CALIFORNIA FOR PARTIAL REIMBURSEMENT TO THE FRESNO FIRE DEPARTMENT OF HIRING AND RETRAINING EXPENSES ON BEHALF OF A FEDERAL FIREFIGHTER DISPLACED BY THE CLOSURE OF THE EL TORO AND TUSTIN MARINE CORPS BASES SUBSEQUENTLY HIRED BY THE FRESNO FIRE DEPARTMENT AND THE FIRE CHIEF IS HEREBY AUTHORIZED TO SIGN THE AGREEMENT WITH ORANGE COUNTY, CALIFORNIA

**(1A-12) RESOLUTION NO. 2000-194** - AUTHORIZING THE TRANSIT GENERAL MANAGER TO FILE THE GRANT APPLICATION WITH THE U.S. DEPARTMENT OF TRANSPORTATION - FEDERAL TRANSIT ADMINISTRATION (FTA) IN THE AMOUNT OF \$12,756,700 AND \$14,071,920 FOR FISCAL 2000 AND FISCAL 2001; AND THE TRANSIT GENERAL MANAGER HEREBY AUTHORIZED TO EXECUTE ALL NECESSARY GRANT APPLICATION DOCUMENTS ON BEHALF OF THE CITY; AND THE TRANSIT GENERAL MANAGER IS AUTHORIZED TO EXECUTE ALL CONTRACT DOCUMENTS FOR GRANT ACCEPTANCE UPON FTA'S APPROVAL OF THE CITY'S GRANT APPLICATION

**(1A-13)** AUTHORIZE THREE-YEAR FINANCING FOR FIVE (5) COPIERS FOR POLICE SUBSTATION AT A ONE TIME PURCHASE PRICE OF \$46,850.11 (INCLUDING SALES TAX) BE FINANCED OVER THREE (3) YEARS UNDER THE EXISTING MASTER EQUIPMENT LEASE-PURCHASE AGREEMENT OF THE CITY

**(1A-14)** DECLARE THE LATE SUBMITTAL BY LANTIS CONSTRUCTION OF ADDENDUM NO. 2 WHICH CHANGED THE APPEALS PERIOD FROM FIVE TO THREE WORKING DAYS, A MINOR IRREGULARITY; AND AWARD A CONTRACT TO LANTIS CONSTRUCTION COMPANY IN THE AMOUNT OF \$62,188.00 TO REMODEL FAX ADMINISTRATION BUILDING

**(1A-15)** APPROVE SUBSTITUTION OF SUBCONTRACTOR TO RE-ROOF TWO (2) FRESNO AREA EXPRESS BUILDINGS

**(1A-16)** AWARD A CONTRACT TO VINCENT COMMUNICATIONS, INC. IN THE AMOUNT OF \$61,301.05 FOR DUAL BAND RADIO EQUIPMENT

**(1A-18)** AWARD A CONTRACT TO LANTIS CONSTRUCTION CO. IN THE AMOUNT OF \$216,066.00 REMODEL MANCHESTER TRANSIT BUILDING

**(1A-19) RESOLUTION NO. 2000-195** - AUTHORIZING AMENDMENT OF FEDERAL AVIATION ADMINISTRATION (FAA) - FRESNO YOSEMITE INTERNATIONAL (FYI) AIRPORT AIP PROJECT NO. 3-06-0087-29 AND THE DIRECTOR OF TRANSPORTATION IS HEREBY AUTHORIZED TO EXECUTE THE GRANT AMENDMENT

**(1A-20) RESOLUTION NO. 2000-196** - AUTHORIZING AMENDMENT OF FEDERAL AVIATION ADMINISTRATION (FAA) - FRESNO YOSEMITE INTERNATIONAL (FYI) AIRPORT AIP PROJECT NO. 3-06-0087-23 AND THE DIRECTOR OF TRANSPORTATION IS HEREBY AUTHORIZED TO EXECUTE THE GRANT AMENDMENT

**(1A-21)** APPROVE AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT WITH PARSONS BRINCKERHOFF, INC., FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE FRESNO YOSEMITE INTERNATIONAL AIRPORT TERMINAL AND CONCOURSE EXPANSION PROJECT UNDER FAA AIP GRANTS NO. 22, 24, 25, 28, 29, 31 AND 32 AND THE PUBLIC WORKS DIRECTOR IS HEREBY AUTHORIZED TO EXECUTE THE GRANT AMENDMENT

**(1A-22) RESOLUTION NO. 2000-197** - MAKING CERTAIN FINDINGS TO COMPLY WITH AB 1482 AND APPROVING A CONTRACT WITH THE CENTRAL CALIFORNIA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS TO PROVIDE ANIMAL CONTROL SERVICES FOR FY 01

**(1A-23)** APPROVE LEASE AGREEMENT WITH C. CHARLES VANG BAIL BONDS AND INSURANCE FOR SPACE AT 1237 VAN NESS AVENUE

On motion of Councilmember Perea, seconded by Councilmember Steitz, duly carried, RESOLVED, the **CONSENT CALENDAR** hereby approved, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo |
| Noes   | : | None  |
| Absent | : | None  |

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At the hour of 10:40 a.m. the City Council reconvened as the Redevelopment Agency.

**(“C”) DIRECT CITY ATTORNEY TO REQUIRE THE DIAMOND GROUP SHAREHOLDERS WHO OWN A 10% OR MORE INTEREST PROVIDE THEIR 1997 THROUGH 1999 TAX RETURNS, CURRENT CREDIT REPORT AND CURRENT FINANCIALS TO THE REDEVELOPMENT AGENCY AND COUNCIL NO LATER THAN JULY 1, 2000 - MEMBER MATHYS**

Councilmember Mathys stated he has requested that before the City enters into negotiations with the Diamond Group, they provide financial records. A motion of Councilmember Mathys, seconded by Councilmember Steitz to require the Diamond Group to provide all necessary financial records to the Agency and Council no later than July 1, 2000, was not acted upon.

On motion of Councilmember Bredefeld, seconded by Chair Ronquillo, duly carried, RESOLVED the above listed item tabled to December 19, 2000, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Boyajian, Bredefeld, Perea, Quintero, Ronquillo |
| Noes   | : | Mathys, Steitz,                                 |
| Absent | : | None  |

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Councilmember Steitz stated that part of the deal point the joint bodies approved, required the Diamond Group provide their financial records and requested copies of the minutes where Diamond Groups financial would be disclosed. No further action was taken.

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At the hour of 10:44 a.m. the Redevelopment Agency adjourned and reconvened as the City Council.

**(9:30 A.M.) HEARING TO CONSIDER PLAN AMENDMENT APPLICATION NO. 99-11 AND REZONING APPLICATION NO.**

**R-99-21, AND RELATED ENVIRONMENTAL ASSESSMENT NO. A-99-11/R-99-21, FILED BY DMP DEVELOPMENT INC., FOR 9.6 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF N. BLYTHE AVENUE BETWEEN W. ASHLAN AND W. DAKOTA AVENUES**

- 1. CONSIDER ENVIRONMENTAL ASSESSMENT/MITIGATED NEGATIVE DECLARATION NO. A-99-11/R-99-21**
- 2. RESOLUTION - AMENDING THE FRESNO HIGH-ROEDING COMMUNITY PLAN**
- 3. BILL - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM THE AE-5/UGM ZONE DISTRICT TO THE R-2/UGM ZONE DISTRICT**

Council President Boyajian announced the time had arrived to consider the issue and opened the hearing.

Planning Manager Haro gave an overview of the staff report, stating Mike Pistoressi of DMP Development was requesting an amendment to the Fresno High-Roeding Plan from the general commercial land use district for a site



approximately 9 ½ acres located on the east side Blythe Avenue to the medium-high density residential land use designation with corresponding R-2 UGM zoning. Mr. Haro discussed the traffic impact study and potential impact on the Central Unified School District and recommended approval of staff recommendation.

Speaking to the issue was Mike Pistoiresi, DMP Development, who stated if the project was approved they intend to pay their share of the costs incurred. Also speaking to the issue was Barbara Hunt, 944 “F” Street.

Upon call, no one else wished to be heard and Council President Boyajian closed the hearing.

Council President Boyajian stated the area involved is part City and part County and after speaking to the County they are not going to widen any of the roads, stated there is already a current traffic problem and noted from the staff report it did not appear that the developer was going to pay for anything. Mr. Boyajian stated his district is not ready for more development and would not support the project at this time.

Councilmember Steitz questioned the land use designation for the area and if there was any opposition by the school district, stated the project is consistent with the land use, and there has been no opposition from the neighborhood committee or adjacent single-family residents and made a motion to approve staff recommendation which was voted upon after extensive discussion.

Councilmember Perea questioned the waiving of fees for the freeway with Development Director Yovino stating there had been no nexus study or justification for that fee, stated the project represents a reduction in the amount of intensity and the City’s position of the project was being proposed for development within a sphere line and a nexus study should be done by CalTrans. Councilmember Perea stated Council gave a very clear direction when the Cambridge Homes project was approved and the developer agreed to pay his fair share, stated the developer in this project should also pay their fair share and elaborated. Councilmember Perea questioned an article in the Fresno Bee regarding a comment made by the Building Industry Association (BIA) stating the City’s plan was unrealistic in respect to the types of densities the Fresno community will accept, and questioned whether that suggests any type of break in the Landscape of Choice. Councilmember Perea requested confirmation with the BIA that they are not breaking away from the commitment of the Landscape of Choice and questioned how the City was integrating that into our General Plan with Mr. Yovino responding.

**(4-0)** Councilmember Mathys expressed concern relating to major infrastructure problems in the area, with Mr. Haro responding. Councilmember Ronquillo left the meeting briefly at 11:12 a.m.

Extensive discussion ensued regarding traffic congestion, surrounding schools, nexus study, infrastructure improvements and payment of fees by the developers.

Council President Boyajian questioned whether the Blythe/Ashlan intersection met warrants with Traffic Engineering Assistant Madewell stating at present it did not meet the traffic signal warrants but would meet the warrants based on the existing development that has occurred. President Boyajian expressed concern with Council making policies, and the policies not being followed, stated the developers are not paying their fair share of the fees for new development.

A motion of Councilmember Steitz, seconded by Councilmember Bredefeld, to approve the finding of a Negative Declaration for Environmental Assessment No. A-99-11, R-99-21 dated May 15, 2000; Plan Amendment No. A-99-11 proposing to amend the subject site on the Fresno High-Roeding Community Plan from the general commercial to the medium-high density residential plan land use designation; and Rezoning Application No. R-99-21 to rezone the site from the AE-5/UGM to the R-2/UGM zone district, failed, by the following vote:

|        |   |  |
|--------|---|--|
| Ayes   | : | Bredefeld, Steitz                            |
| Noes   | : | Mathys, Perea, Quintero, Ronquillo, Boyajian |
| Absent | : | None   |

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**(9:45 A.M.) CONTINUED HEARING TO CONSIDER PLAN AMENDMENT NO. A-99-31 AND REZONING APPLICATION NO. R-99-46 AND RELATED ENVIRONMENTAL ASSESSMENT NO. A-99-31/R-99-46, FILED BY EDWIN AND NORMA LOEB, FOR 1.01 ACRES OF PROPERTY LOCATED ON THE SOUTH SIDE OF E. SHIELDS AVENUE BETWEEN N. JACKSON AND N. MAPLE AVENUES (4560, 4576 AND 4582 E. SHIELDS)**

**1. CONSIDER ENVIRONMENTAL ASSESSMENT/MITIGATED NEGATIVE DECLARATION NO. A-99-31/R-99-46**

**2. RESOLUTION NO. 2000-198 - AMENDING THE MCLANE COMMUNITY PLAN**

**3. BILL NO. B-43/ORDINANCE NO. 2000-46 - AMENDING THE FRESNO YOSEMITE INTERNATIONAL ENVIRONS AREA SPECIFIC PLAN**

**4. BILL NO. B-44/ORDINANCE NO. 2000-47 - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM THE R-1 ZONE DISTRICT TO THE R-3/CZ ZONE DISTRICT**

Councilmember Ronquillo left the meeting at 11:22 a.m. Council President Boyajian announced the time had arrived to consider the issue and opened the hearing.

Development Planner Beedle briefly reviewed the staff report.

Barbara Hunt 944 "F" Street, spoke to the issue.

Upon call, no one else wished to be heard and Council President Boyajian closed the hearing.

On motion of Councilmember Steitz, seconded by Councilmember Mathys, duly carried, RESOLVED, the finding of a Mitigated Negative Declaration for Environmental Assessment No. A-99-31, R-99-46 issued on April 21, 2000 approved; Resolution No. 2000-198 hereby adopted, Bill No. B-43 adopted as Ordinance No. 2000-46 and Bill No. B-44 adopted as Ordinance No. 2000-47, by the following vote:

|        |   |  |
|--------|---|--|
| Ayes   | : | Bredefeld, Mathys, Perea, Quintero, Steitz, Boyajian |
| Noes   | : | None   |
| Absent | : | Ronquillo  |

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**(10:00 A.M.) HEARING TO CONSIDER THE PROPOSED ANNUAL ASSESSMENT FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1**

**A. RESOLUTION NO. 2000-199 - APPROVING THE ENGINEER'S REPORT AND LEVYING ANNUAL ASSESSMENTS, 2000 - 2001, FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1**

Council President Boyajian announced the time had arrived to consider the issue and opened the hearing.

Upon call, no one wished to be heard and Council President Boyajian closed the hearing.

On motion of Councilmember Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution No. 2000-199, hereby adopted, by the following vote:

|        |   |  |
|--------|---|--|
| Ayes   | : | Bredefeld, Perea, Quintero, Steitz, Boyajian |
| Noes   | : | Mathys                                       |
| Absent | : | Ronquillo                                    |

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**(10:15 A.M.) DISCUSSION OF OLIVE TREES LOCATED AT PEACH AND BUTLER AVENUES - COUNCILMEMBER QUINTERO**

Councilmember Quintero thanked staff for the report. Councilmember Bredefeld left the meeting at 11:33 a.m. and Councilmember Steitz left at 11:35 a.m. Parks, Recreation and Community Services Director Primavera stated three more olive trees might not make it through the summer. Councilmember Quintero questioned whether the remainder of the trees will be monitored more closely and requested a proposal regarding what options were available to either replace the trees with other olive trees or different type of tree and questioned whether the olive trees are tagged in a specific plan with Development Director Yovino stating he will provide a report on whether there needed to be a plan amendment to move the trees. Councilmember Quintero also requested an update on the palm trees located on Kings Canyon Avenue.

Discussion ensued regarding the cost of moving the trees and the cost of installing an irrigation system with Mr. Primavera stating an update report will be provided at the July 18, 2000 Council meeting. A specific time of 10:30 a.m. was scheduled. Councilmember Quintero thanked Tree Fresno for planting shrubs and trees on Kings Canyon and Ventura, and added there was one more median island between Second and Third Streets that still needed a tree. No further action was taken. Councilmember Steitz returned to the meeting at 11:39 a.m.

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**(10:30 A.M.) APPROVE COMMUNITY REVITALIZATION AREA DESIGNATION AND ADOPT COMMUNITY REVITALIZATION PLAN - PARK WEST APARTMENTS, PROPERTY LOCATED ON THE EAST SIDE OF MARKS AVENUE SOUTH OF SHAW AT ALAMOS**

Housing and Neighborhood Revitalization Manager Bowness gave a brief overview of the staff report. Councilmember Quintero left the meeting at 11:42 a.m.

On motion of Council President Boyajian, seconded by Councilmember Perea, duly carried, RESOLVED, the Community Revitalization Area designation hereby approved, a Community Development Plan in the vicinity of the Park West Apartments hereby adopted, and the City Manager hereby authorized to sign a letter supporting the owner's application, by the following vote:

|        |   |                                 |
|--------|---|---------------------------------|
| Ayes   | : | Mathys, Perea, Steitz, Boyajian |
| Noes   | : | None                            |
| Absent | : | Bredefeld, Quintero, Ronquillo  |

- - - -

**(10:45 A.M.) DISCUSSION AND DIRECTION REGARDING ALTERNATIVE RESIDENTIAL STREET DESIGNS**

Development Director Yovino gave a brief presentation and requested Council approve continued studies and the department would provide a report at a later date at which time detailed recommendations would be submitted. Councilmember Quintero returned to the meeting at 11:45 a.m.

Jeff Harris, representing the Building Industry Association, spoke in support of the continued studies.

Discussion ensued regarding street design and fencing with Mr. Yovino stating the fence issue would be addressed in the new General Plan.

On motion of Councilmember Perea, seconded by Councilmember Steitz, duly carried, RESOLVED, staff directed to further evaluate other alternatives to reduce local street width and submit specific street designs for future Council consideration, by the following vote:

|        |   |  |
|--------|---|--|
| Ayes   | : | Bredefeld, Mathys, Perea, Quintero, Steitz, Boyajian |
| Noes   | : | None   |
| Absent | : | Ronquillo  |

- - - -

**UNSCHEDULED ORAL COMMUNICATION:**

**(5-0)** John Lima, 4791 E. McKinley questioned why the consent item 1A-23 relating to approval of a Lease Agreement with C. Charles Vang Bail Bonds has been laid over one month, stated Mr. Vang and he are interested in leasing the space located at 1237 Van Ness Avenue and requested advice on what needed to be done to expedite the matter. No action was taken.

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**RECESS - 12:00 P.M. - 2:19 P.M.** Councilmember Bredefeld arrived at 2:21 p.m.

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**(11:00 A.M.) FY 2000-2001 BUDGET:** CONSIDER OVERRIDE OF MAYOR'S LINE ITEM VETOES, CONSIDERATION OF MAYOR'S REQUESTED ITEMS FOR RECONSIDERATION, AND DIRECTION TO STAFF TO PREPARE ANY NECESSARY AAR AMENDMENTS AND RELATED DOCUMENTS AS A RESULT OF OVERRIDE AND RECONSIDERATION - COUNCIL PRESIDENT BOYAJIAN

**A. RESOLUTION NO. 2000-183 ENTITLED ADOPTION OF FY 2000-2001 CITY OF FRESNO BUDGET AND RESOLUTION NO. 2000-184 ENTITLED ADOPTION OF FY 2000-2001 PAR**

1. RECONSIDERATION OF THE COUNCIL'S ACTION THAT DEFUNDED \$268,300 FROM THE POLICE DEPARTMENT GENERAL FUND APPROPRIATIONS
2. RECONSIDERATION OF THE COUNCIL'S ACTION THAT DEFUNDED \$219,300 FROM THE POLICE DEPARTMENT GENERAL FUND APPROPRIATIONS AND THE RELATED POSITIONS

3. RECONSIDERATION OF THE COUNCIL'S ACTION THAT DEFUNDED \$118,900 FROM THE FIRE DEPARTMENT GENERAL FUND APPROPRIATIONS AND THE RELATED POSITIONS FOR THE NEW FIRE RESERVE PROGRAM
4. RECONSIDERATION OF THE COUNCIL'S ACTION THAT DEFUNDED \$34,800 FROM THE FIRE DEPARTMENT GENERAL FUND APPROPRIATIONS AND THE RELATED POSITION (EMERGENCY PREPAREDNESS OFFICER)
5. RECONSIDERATION OF THE COUNCIL'S ACTION THAT DEFUNDED \$90,400 FROM THE DEPARTMENT OF ADMINISTRATIVE SERVICES, FINANCE DIVISION ISF AND RELATED POSITIONS FOR THE IMPLEMENTATION REFORMS TO THE UGM ACCOUNTING PROGRAM
6. RECONSIDERATION OF THE COUNCIL'S ACTION THAT DEFUNDED \$180,000 AND THREE (3) INTERNAL AUDITOR POSITIONS FROM THE BUDGET AND MANAGEMENT DIVISION ISF
7. RECONSIDERATION OF THE COUNCIL'S ACTION THAT DEFUNDED \$70,000 FROM THE POLICE DEPARTMENT FORFEITURE FUND APPROPRIATIONS RELATED TO SPACE RENOVATION AT POLICE HEADQUARTERS
8. CONSIDER OVERRIDING VETO OF COUNCIL'S APPROPRIATION OF \$70,000 OF FORFEITURE FUND MONIES FOR THE NORTH EAST POLICE SUBSTATION
9. CONSIDER OVERRIDING VETO OF COUNCIL'S APPROPRIATION OF \$10,000 FOR THE HIGHWAY CITY POLICE SUBSTATION
10. CONSIDER OVERRIDING VETO OF COUNCIL'S APPROPRIATION OF \$50,000 OF ADDITIONAL GENERAL FUND MONIES TO THE CONVENTION AND VISITOR'S BUREAU
11. CONSIDER OVERRIDING VETO OF COUNCIL'S APPROPRIATION OF \$12,800 OF GENERAL FUND MONIES FOR THE PINEDALE COMMUNITY GUIDELINES AND STANDARDS STUDY
12. CONSIDER OVERRIDING VETO OF COUNCIL'S APPROPRIATION OF AN ADDITIONAL \$70,000 TO AUGMENT THEIR COUNCIL DISTRICT EMPLOYEE SERVICES BUDGET
13. COUNCIL OVERRIDE OF MAYOR'S REDUCTION OF COUNCIL'S APPROPRIATION OF \$980,000 FOR NEW COUNCIL INFRASTRUCTURE BUDGETS IS HEREBY REDUCED BY \$630,000 OF GENERAL FUND MONIES
14. COUNCIL OVERRIDE OF MAYOR'S REDUCTION OF COUNCIL'S APPROPRIATION OF \$100,000 OF PARKING PROGRAM REVENUES TO REINSTALL PARKING METERS DOWNTOWN
15. COUNCIL RECONSIDER ACTION THAT RESTRICTS EXPENDITURES OF THE PARKING PROGRAM REVENUES

Councilmember Perea reviewed the Mayor's request for veto and reconsideration memorandum dated June 16, 2000, emphasized the importance of the reserve in the budget and Council's support of the strong police force and the build up of the Fire Department. Councilmember Perea read into the record a motion regarding the FY 2000-2001 City budget which was acted upon after extensive discussion.

1. After reconsideration, deny Mayor's request for reconsideration of Items A1, 2, 3, 5, 6, and 7;
2. After reconsideration, agree with the Mayor's request for reconsideration of Item A4 and reinstate to the General Fund Budget \$34,800 for an Emergency Preparedness Officer in the Fire Department;
3. Sustain the Mayor's veto of items A9, 10 and 11 with the understanding that the money for Highway City Police Substation is already in the budget; that \$50,000 for the Convention Center and Visitor Bureau is hereby appropriated from Convention Center Reserves; and that \$12,800 for a Pinedale Community Guidelines and Standards Study will be funded from the Department of Development Services;
4. Override the Mayor's veto of items A8, 12, 13, and 14;

5. Agree with the Mayor's request for reconsideration of item A15; use of reserves to fund the downtown parking enforcement program. Council directs that parking meters be reinstalled in downtown per our direction at our June 13, 2000 meeting, and that up to \$150,000 in parking reserve funds can be used to continue the parking enforcement program and parking meter reinstallation during FY 2001;
6. The Council further directs that General Fund monies freed up from the above actions be placed in the Council Infrastructure Account after fully funding the \$70,000 for Item A12. City Manager is to inform Council and Council Budget Committee of amount of General Fund revenue returned to Council Infrastructure Budget. Council Budget Committee is to report to Council at its next regularly scheduled meeting the amount of funds it is short of meeting the \$140,000 per Council District budget, along with recommendations on what additional cuts need to be made in the FY 01 Budget to meet Council Infrastructure Account requirements and supporting implementing AAR as necessary;
7. Staff is further directed to conform the PAR and AAR consistent with this motion. Staff is also directed to return with necessary AAR and PAR amendments for action on July 18, 2000.

Speaking to the above issue were Barbara Hunt, 944 "F" Street and Jeff Harris, Building Industry Association, 3435 W. Shaw, #101, who requested Council reconsider the UGM Accounting Program, and stated the program should be removed from the Public Works Department and placed in the Finance Division.

City Manager Reid questioned Item No. 3, and the wording "with the understanding that" stated the Mayor's veto message indicated there were some funding sources for the projects, and questioned the procedure and Brown Act as to the motion to sustain with City Attorney responding.

Extensive discussion ensued regarding Item No. 5 relating to the parking meter program, with the Council Budget Subcommittee stating the reinstallation of the meters would be at 100% rather than at 60%.

Councilmember Mathys questioned whether each item would be voted on separately with Councilmember Perea stating the budget items would be voted upon in one motion. Councilmember Steitz expressed his no vote, stated downtown would be negatively effected by the reinstallation of parking meters, the budget sets back Fulton Mall, and also the Reserve Fire Program is needed as well as cutting some of the proposals for the property room.

Discussion ensued on the deadline for adopting the budget, cutting of the auditor position, the Police Department evidence room and the Fire Department. Councilmember Ronquillo stated his support for downtown, adding with the Redevelopment Agency and the City, both have been a tool and elaborated. Councilmember Perea reiterated the Council Budget Subcommittee's objective, and stated the money allocated in the budget for the opening of the Fulton Mall has not been compromised.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the FY 2000-2001 budget Items 1 - 7 listed above to amend the Mayor's veto and reconsideration, hereby approved, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Bredefeld, Perea, Quintero, Ronquillo, Boyajian |
| Noes   | : | Mathys, Steitz                                  |
| Absent | : | None  |

- - - -

**(6-0) (1A-2) RESOLUTION NO. 2000-200 - OF INTENTION TO ANNEX FINAL MAP OF TRACT NO. 4944**

AS ANNEXATION NO. 22 TO THE CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 2, AND TO  
AUTHORIZE THE LEVY OF SPECIAL TAXES

135-323

6/27/00

On motion of Acting President Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution No. 2000-200 hereby adopted, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Bredefeld, Perea, Quintero, Ronquillo, Steitz, Boyajian |
| Noes   | : | Mathys  |
| Absent | : | None  |

- - - -

**(1A-23)** APPROVE LEASE AGREEMENT WITH C. CHARLES VANG BAIL BONDS AND INSURANCE FOR SPACE AT 1237 VAN NESS AVENUE

Laid over to 7/25/00.

- - - -

**(1A-17)** REJECT ALL BIDS FOR A REQUIREMENTS CONTRACT FOR OFFICE SUPPLIES AND PIGGYBACK AN EXISTING CONTRACT

On motion of Council President Boyajian, seconded by Councilmember Ronquillo, duly carried, RESOLVED, all three bidders hereby declared non-responsive and/or non-responsible to the specifications, all bids received hereby rejected, and the Purchasing Manager hereby directed to piggyback the National Association of County Organizations (NACO) contract with Office Depot for a requirements contract for office supplies through April 1, 2001, with two possible one-year extensions, if the NACO contract is extended, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian |
| Noes   | : | None  |
| Absent | : | None  |

- - - -

**(1A-5)** AWARD A CONTRACT FOR CONVENTION CENTER EVENT PERSONNEL SERVICES

Acting President Bredefeld and Councilmember Perea left the meeting briefly at 3:05 p.m. Supervising Buyer Smith responded to questions.

On motion of Councilmember Ronquillo, seconded by Council President Boyajian, duly carried, RESOLVED, a three-year contract for Convention Center Event Personnel Services hereby awarded, with provisions for a two (2) additional one-year extension; to Contemporary Services Corporation for Section A - Event Staff Services in the monthly amount of \$50,832.71 or annual amount of \$609,992.52 and to The Plus Group, Inc. for Section B - Set-Up Worker Services and Section C - Custodial Worker Services in the monthly amount of \$16,007.33 or annual amount of \$192,087.87, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Mathys, Quintero, Ronquillo, Steitz, Boyajian |
| Noes   | : | None  |
| Absent | : | Bredefeld, Perea                              |

**(2A) NORTHEAST FRESNO POLICING STATION DEVELOPMENT FEE STATUS REPORT**

Development Director Yovino gave an overview of the item, stated the Development Department is moving forward with the matter and, in consulting with the City Attorney's Office, it was determined that it was not necessary to prepare a preceding ordinance before a Master Fee Schedule Resolution is prepared, adding the resolution will be complete towards the end of July. No action taken.

**(3A) \* RESOLUTION - 13<sup>TH</sup> AMENDMENT TO PAR 99-182 - ADDING NINE (9) MANAGEMENT ANALYST I/II POSITIONS TO THE OFFICE OF THE CITY MANAGER**

**1. REPORT FROM CITY MANAGER ON COUNCIL DIRECTION TO CLASSIFY ADDITIONAL STAFF POSITION FOR EACH COUNCIL DISTRICT OFFICE AS A PERMANENT UNCLASSIFIED CITY EMPLOYEE AND DIRECTION THEREON - ACTING PRESIDENT BREDEFELD AND COUNCILMEMBER RONQUILLO**

Acting President Bredefeld and Councilmember Perea returned to the meeting at 3:09 p.m. Acting President Bredefeld stated he would not support the above listed resolution at this time, adding he distributed a memo to Council and the City Manager advising the issue was not what the Council requested in terms of options. No action taken.

**(3B) SUBMITTING FOR VOTER APPROVAL PURSUANT TO PROPOSITION 218, AN INCREASE IN THE TRANSIENT ROOM TAX (HOTEL ROOM TAX)**

**1. \* RESOLUTION NO. 2000-201 - 372<sup>ND</sup> AMENDMENT TO MFS NO. 80-420 TO AMEND THE TRANSIENT ROOM TAX (HOTEL TAX)**

**2. \* RESOLUTION NO. 2000-202 - SUBMITTING FOR VOTER APPROVAL PURSUANT TO PROPOSITION 218, AN INCREASE IN THE TRANSIENT ROOM TAX (HOTEL ROOM TAX) AT THE NOVEMBER 7, 2000 GENERAL ELECTION**

Councilmember Ronquillo stated the City has an opportunity to gain some revenue by this tax and the money could be spent to create jobs, particularly tourism and elaborated.

Barbara Hunt, 944 "F" Street, spoke to the issue.

Upon call, no one else wished to be heard and Council President Boyajian closed the public testimony portion of the issue.

Councilmember Steitz stated if the transient room tax should not be approved by the voters, the money should come out of the Convention Center and Visitors Bureau budget and elaborated. Councilmember Perea stated the above item is supported by the Hotel/Motel Association.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Resolution Nos. 2000-201 and 2000-202 hereby adopted, by the following vote:



Ayes : Bredefeld, Perea, Quintero, Ronquillo Steitz, Boyajian  
 Noes : Mathys  
 Absent : None

- - - -

**(5A - 3:20 P.M.) DIRECT CITY ATTORNEY WITH ASSISTANCE OF STAFF TO PREPARE RESOLUTION SUBMITTING BALLOT MEASURE TO CITY VOTERS FOR ADOPTION OF INCREASE IN SALES TAX FOR PURPOSE OF IMPROVEMENTS AND CONSTRUCTION OF CITY STREETS AND ROADS SIMILAR TO CURRENT MEASURE C SALES TAX IN CITY AND COUNTY - COUNCILMEMBER PEREA**

Councilmember Perea stated the County passed Measure C in 1986 which will expire in the year 2006, expressed concern with what would happen to the next 20 years of Measure C, and stated recently there has been a substantial amount of activity in this area. Councilmember Perea continued, stating a voters' survey was done resulting in any extension of Measure C the voters would consider would be based upon the movement and shifting of money back into the neighborhoods and elaborated. Councilmember Perea concluded stating this was not a new tax, but an extension of an existing tax that the voters approved in 1986 and the action Council needed to take was to ask to voters to approve the extension of that same tax, and stated until Council follows the will of the people to move their dollars back into Fresno neighborhoods, he would not be supporting Countywide Measure C that will support the continuation of freeways in the community.

A motion by Councilmember Perea to direct the City Attorney to prepare a resolution to submit a ballot measure to the City voters relating to Measure C tax was voted upon after brief discussion.

City Attorney Montoy stated a report would be provided as to what the matter would entail on whether it would be feasible for the November election. Discussion ensued regarding CDBG funds, and if an ordinance was drafted, a provision needed to be added to make clear there would be no independent tax.

On motion by Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, **RESOLVED**, the City Attorney hereby directed to prepare a resolution submitting a ballot measure to the City voters for the adoption of a continuation of a sales tax for the purposes of improvements and construction of City streets and roads similar to the current Measure C tax in the City and County, by the following vote:

Ayes : Bredefeld, Perea, Quintero, Ronquillo Steitz, Boyajian  
 Noes : Mathys  
 Absent : None

- - - -

**(3:00 P.M.) PRESENTATION OF PLAN FOR AIR SERVICE DEVELOPMENT PROGRAM FOR FRESNO YOSEMITE INTERNATIONAL AIRPORT FOR FY 2001 (COUNCIL BUDGET INFORMATION REQUEST NUMBER 15)**

Transportation Director Hayes reviewed the staff report, and requested Council appropriate funds to the Airport enterprise fund. Acting President Bredefeld and Councilmember Perea left the meeting briefly at 3:35 p.m. Mr. Hayes distributed an outline of the air service development, on file in the City Clerk's Office, discussed possibilities for future growth, funding for matching grants, and various efforts made to the community in marketing including a new brochure,

and concluded by requesting Council authorize the portion of the budget on behalf of the Airport.

135-326

6/27/00

Upon call, no one wished to be heard and Council President Boyajian closed the public testimony portion of the issue.

Councilmember Ronquillo questioned whether the airlines and cargo could be proactive to accommodate leisure, business, convention and tourism with Mr. Hayes responding. Councilmember Perea returned to the meeting at 3:43 p.m.

**(7-0)** A motion by Councilmember Ronquillo was made to approve the Air Service Development Program but died due to a lack of a second.

City Manager Reid clarified the motion stating the budget action was to put the \$250,000 in a suspense account pending the presentation and acceptance of the report and request Council approve and accept the report and allow Airports to move forward with the expenditure authority of the funds with City Attorney Montoy concurring. Councilmember Bredefeld returned to the meeting at 3:55 p.m.

Mr. Reid requested a legal opinion as to whether the budget vote would be a four or five vote item to release the funds.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, Council hereby authorizes the Director of Transportation to expend Airport funds as proposed in the FY 2001 budget request, and the item to be included in the final AAR and PAR set for the July 18, 2000 Council meeting, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian |
| Noes   | : | None  |
| Absent | : | None  |

- - - -

**(3:15 P.M.)** DIRECT STAFF TO PREPARE REPORT ON LAND USE AND ENVIRONMENTAL IMPACTS OF PROPOSED CITY OF CLOVIS DECISION ALLOWING FOR CURB CUTS ON HERNDON AVENUE AND DIRECT CITY ATTORNEY TO CONDUCT LEGAL RESEARCH ON WHETHER CITY MAY TAKE LEGAL ACTION TO STAY OR OVERTURN THE CLOVIS DECISION TO PRESERVE THE CITY'S LEGAL INTERESTS - COUNCILMEMBER PEREA

Councilmember Perea stated the City of Clovis is in the process of deciding whether they are going to compromise the integrity of Herndon Avenue as an expressway on the corner of Herndon and Willow, stated the City has not violated the intent of the expressway, and requested the City preserve their rights. Councilmember Perea requested the City Attorney prepare a report and any information necessary that in the event the City of Clovis does compromise Herndon Avenue, the City be prepared to either join COG or act separately to stop that action.

A motion by Councilmember Perea to prepare the necessary report relating to Herndon Avenue was acted upon after brief discussion.

Councilmember Steitz stated the action today was premature and that Council should not make a decision until the traffic study has been completed and reviewed by COG, with Councilmember Perea stating the report would send a strong message to the City of Clovis.

City Manager Reid questioned whether the receipt and delivery to Council of COG's traffic study be compliant and recommended getting a copy of any public record there is in the City of Clovis, stated Councilmembers who are interested should attend a meeting to testify and raise objections. Councilmember Ronquillo left the meeting briefly at 4:08 p.m. City Attorney Montoy stated a report will be provided at the July 18, 2000 Council meeting with some general recommendations.

135-327

6/27/00

On motion of Councilmember Perea, seconded by Councilmember Mathys, duly carried, RESOLVED, staff directed to prepare a report on land use and environmental impacts of proposed City of Clovis decision allowing for curb cuts on Herndon Avenue and submission of report by COG to the Council that will meet that need, and the City Attorney directed to conduct legal research on whether City may take legal action to stay or overturn the City of Clovis decision to preserve the City's legal interests, by the following vote:

|        |   |  |
|--------|---|--|
| Ayes   | : | Bredefeld, Mathys, Perea, Quintero, Steitz, Boyajian |
| Noes   | : | None   |
| Absent | : | Ronquillo  |

- - - -

**(3C) \* RESOLUTION NO. 2000-203 - SUBMITTING A PROPOSED CHARTER AMENDMENT TO CITY ELECTORS THAT THE CHIEF ADMINISTRATIVE OFFICER SHALL BE APPOINTED BY THE MAYOR WITH THE APPROVAL OF THE CITY COUNCIL**

Councilmember Ronquillo returned to the meeting at 4:11 p.m. A motion by Councilmember Ronquillo to adopt the above listed resolution was acted upon after brief discussion.

City Manager Reid requested Council's decision be based upon an intended, considered evaluation and approach to the balance of power in the City, stated Council should follow the model that was used to establish the Strong Mayor Form of Government which was to appoint a group of distinguished citizens from the community to take a broader perspective on what is working well and what needs to be reformed, and elaborated.

Councilmember Steitz expressed concern with the amount of money it would cost to place the issue on the ballot, stated he would oppose the adoption of the resolution.

Councilmember Mathys stated if Council does not like the Strong Mayor Form of Government, there should be a ballot measure to change it, but to adopt the above resolution would not achieve any goals.

Councilmember Ronquillo stated the adoption of the resolution would create a true balance and clarified the individual would be selected by the Mayor and confirmed by the Council and the ability to removed that person would be solely at the Mayor's discretion. Mr. Reid suggested if Council approves the appointment of the City Manager they should also approve the City Attorney and Redevelopment Executive Director, with brief discussion ensuing.

On motion of Councilmember Ronquillo, seconded by Acting President Bredefeld, duly carried, RESOLVED, the above entitled Resolution No. 2000-203 hereby adopted, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Bredefeld, Perea, Quintero, Ronquillo, Boyajian |
| Noes   | : | Mathys, Steitz                                  |
| Absent | : | None  |

- - - -

**(3D)\* BILL NO. B-45 - REPEALING ORDINANCE NO. 80-108, AS AMENDED IN ORDINANCE NOS. 86-73, 91-18,**

95-97 AND 95-98, AND ADOPTING ORDINANCE SETTING FORTH THE COMPENSATION OF ELECTIVE OFFICERS

A motion by Acting President Bredefeld to introduced the above listed bill was acted upon after brief discussion.

135-328

6/27/00

Acting President Bredefeld read the proposed ordinance. Councilmember Steitz stated the effective date of the ordinance should be amended to reflect the effective date of January 8, 2003, in order for every Councilmember to receive the same pay.

**(8-0)** Extensive discussion ensued regarding the Council positions being full-time versus part-time. Councilmember Steitz stated the position was not a full-time job, and that he would collect signatures to overturn the adoption of the above ordinance, with Councilmember Mathys concurring.

On motion of Acting President Bredefeld, seconded by Council President Boyajian, duly carried, RESOLVED, Bill No. B-45 introduced and laid over, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Bredefeld, Perea, Quintero, Ronquillo, Boyajian |
| Noes   | : | Mathys, Steitz                                  |
| Absent | : | None  |

- - - -

**(5B)** REQUEST CITY MANAGER TO DIRECT FIRE DEPARTMENT STAFF TO REMOVE RECENTLY INSTALLED “NO PARKING” SIGNS IN THE 4600 BLOCK OF W. ASHLAN - COUNCILMEMBER MATHYS

A motion by Acting President Bredefeld to deny the above request was acted upon after brief discussion.

Councilmember Mathys reviewed the above request stating a fire lane had been created and the residents cannot park in front of their homes.

Fire Battalion Chief Aranaz explained the reasoning for the signs, stated if the signs were removed, it would reduce the south side of the frontage road to a 14-foot wide pathway and emergency vehicles would not be able to get around one another. Mr. Aranaz stated the importance of maintaining at least a 20-foot lane for emergency vehicles to pass one another and requested the “No Parking” signs remain on one side of the street or the other.

A substitute motion by Councilmember Steitz, seconded by Councilmember Mathys, to postpone the above request until the next Council meeting in order to receive more information failed adoption, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Mathys, Steitz                                  |
| Noes   | : | Bredefeld, Perea, Quintero, Ronquillo, Boyajian |
| Absent | : | None  |

On motion of Acting President Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, a request for the City Manager to direct Fire Department staff to remove recently installed “No Parking” signs in the 4600 block of W. Ashlan hereby denied, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Bredefeld, Perea, Quintero, Ronquillo, Boyajian |
| Noes   | : | Mathys, Steitz                                  |
| Absent | : | None  |

(5C) \* **RESOLUTION NO. 2000-204** - 111<sup>TH</sup> AMENDMENT TO AAR NO. 99-181 APPROPRIATING \$700 OF DISTRICT 7'S GENERAL INFRASTRUCTURE CAPITAL BUDGET TO FUND A GRANITE MONUMENT AT FRESNO CITY COLLEGE - COUNCILMEMBER PEREA (*REQUIRES 5 AFFIRMATIVE VOTES*)

On motion of Councilmember Perea, seconded by Acting President Bredefeld, duly carried, RESOLVED, the above entitled Resolution No. 2000-204 hereby adopted, by the following vote:

|        |   |   |
|--------|---|---|
| Ayes   | : | Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian |
| Noes   | : | None  |
| Absent | : | None  |

### **CLOSED SESSION**

(A) **CONFERENCE WITH LABOR NEGOTIATOR** - GOVERNMENT CODE SECTION 54957.6

**CITY NEGOTIATOR(S):** JEFFREY M. REID, JORGE AGUINIGA, ANDREW T. SOUZA

**EMPLOYEE ORGANIZATION(S):** APPROVE REVISED THREE-YEAR CONTRACT WITH FIREFIGHTERS LOCAL NO. 753 - COUNCILMEMBER MATHYS

(B) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (B)

**SIGNIFICANT EXPOSURE TO LITIGATION:**

1. CALVIN STANFIELD V. CITY OF FRESNO
2. CLAIMS OF ARTHUR NAN
3. CLAIMS OF TRUMAN SIGLER
4. CLAIMS OF DOE 7
5. (A) PATRIOT HOMES FRESNO V. CITY OF FRESNO (B) PATRIOT HOMES FRESNO II V. CITY OF FRESNO

(C) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (A)

1. **CASE NAME:** MEMORIAL AUDITORIUM RESTORATION SOCIETY V. CITY OF FRESNO

The Council met in closed session in Room 2125 at the hour of 4:46 p.m. to consider the above issues and adjourned thereafter.

### **CLOSED SESSION ANNOUNCEMENTS:**

**B-2, 3 & 4 CLAIMS OF ARTHUR NAN; CLAIMS OF TRUMAN SIGLER AND CLAIMS OF DOE 7** - Relating to alleged violation of constitutional rights, excessive force and theft of personal property relating to arrest occurring on December 15, 1999, and claiming \$1,250,000, \$1,757,300 and \$800,000 respectively, Council denied claim by vote of 7-0

**B-1 CALVIN STANFIELD V. CITY OF FRESNO** - Relating to alleged police misconduct, personal injury, pain and suffering, mental and physical stress in the amount of \$2 million for alleged failure of Fresno Police Department to place

claimant in witness protection or relocation program, Council denied the claim by vote of 7-0.

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**135-330**

**6/27/00**

**ADJOURNMENT**

There being no further business to bring before the Council, the hour of 5:37 p.m. having arrived and hearing no objections, President Boyajian and declared the meeting adjourned

APPROVED on the 18<sup>th</sup> day of July, 2000.

|                                 |                                |
|---------------------------------|--------------------------------|
| _____ ATTEST: _____             |                                |
| Tom Boyajian, Council President | Cindy Hamby, Deputy City Clerk |

**135-331**

**6/27/00**